



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

[खण्ड XII] शिमला, शनिवार, 24 अक्टूबर, 1964/2 कार्तिक, 1886 [संख्या 43]

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

## GOVERNMENT OF HIMACHAL PRADESH

### APPOINTMENT DEPARTMENT

#### NOTIFICATIONS

Simla-4, the 13th October, 1964

No. 3-10/64-Appt.—In exercise of the powers conferred by sub-section (1) of section 10 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to appoint Shri B. C. Negi, a Magistrate of the First Class, to be the District Magistrate of Sirmur district, with effect from the date of his taking over as Deputy Commissioner, Sirmur.

Simla-4, the 13th October, 1964

No. 3-10/64-Appt.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to appoint to Shri B. C. Negi be a Magistrate

of the First Class, with all the powers of Magistrate 1st Class, under the said Code, to be exercised within the local limits of Sirmur district, with effect from the date of his taking over as Deputy Commissioner, Sirmur district.

By order,  
THAKUR SEN NEGI,  
Chief Secretary.

### EXCISE AND TAXATION DEPARTMENT

#### NOTIFICATION

Simla-4, the 11th September, 1964

No. 7-1/62-E&T.—The Lieutenant Governor, Himachal Pradesh is pleased to constitute the State Prohibition Board in Himachal Pradesh, as under, as temporary measure for a period of one year in the first instance:—

1. Shri Karam Singh (Revenue Minister)	Chairman
2. Shri Dhian Singh, M.L.A.	Member <sup>(1)</sup>
3. Shri Kalyan Singh, M.L.A.	Member

4. Shri Niku Ram, M.L.A.	<i>Member</i>
5. Shri Anup Singh, M.L.A.	<i>Member</i>
6. Shri Padam Dev, M.L.A.	<i>Member</i>
7. Shri Pratap Singh, M.P.	<i>Member</i>
8. President Bharat Sewak Samaj, H.P.	<i>Member</i>
9. Vice-President, State Social Welfare Board, H.P.	<i>Member</i>
10. Financial Commissioner, H.P.	<i>Member</i>
11. Development Commissioner, H.P.	<i>Member</i>
12. Inspector General of Police, H.P.	<i>Member</i>
13. Secretary (Excise)	<i>Member</i>
14. Director Public Relations & Tourism, H.P.	<i>Member</i>
15. Director, Social Welfare, H.P.	<i>Member</i>
16. The Excise & Taxation Commissioner, H.P.	<i>Secretary</i>

2. The Board has been set up to advise the Himachal Pradesh Government with regard to Prohibition Policy which is a matter of public importance and its functions will be as follows:-

- (i) to undertake periodical review of prohibition policy and progress of prohibition;
- (ii) to study the difficulties that may be encountered in implementing the prohibition policy and adopt suitable measures to overcome such difficulties;
- (iii) to find out ways and means to intensify propaganda in favour of prohibition in areas coming under prohibition and areas which do not;
- (iv) to recommend suitable measures to encourage and assist official and non-official agencies devoted to—
  - (1) Prohibition and temperance propaganda,
  - (2) Care and rehabilitation of alcoholics and drink addicts.

3. The Board will hold its meetings once in six months.

4. The official members will be entitled to travelling allowance and daily allowance admissible to them according to the rules governing them. The non-official members will also be allowed T.A. and D.A. as per annexure "A".

#### ANNEXURE "A"

##### A—NON-OFFICIALS OTHER THAN MEMBERS OF PARLIAMENT

###### (a) Travelling Allowance—

(i) *Journey by rail.*—In respect of such journeys, he will be treated at par with Government servants of the First Grade and will be entitled to First Class Rail fare plus incidental expenses at the rate of 35 P. per every 10 kilometres or part thereof if it exceeds 5 kilometres.

(ii) *Journey by road.*—In respect of journeys by road between places not connected by rail, a member will be entitled to road mileage admissible to an officer of the First Grade under the Supplementary Rule, 46.

In a case where journey between two places connected by rail is performed by road rail being the ordinary mode of travelling, the road mileage will be regulated:—

- (1) When a journey is performed by taking a single seat in a public conveyance, the lower rate of road mileage will apply.
- (2) When the journey is performed otherwise the higher rate of road mileage, but limited to rail mileage will apply.

###### (b) Daily Allowance—

(i) For each day of the meeting, a non-official member will be entitled to daily allowance at the highest rates admissible to Government servants of the First Grade for the respective localities.

(ii) In addition to the daily allowance for the day(s) of the meeting a member shall also be entitled to full daily allowance for the day preceding and/or the day following the meeting etc.

- (i) he arrives in the forenoon of the day preceding the day of the meeting or on an earlier day; and/or

(2) he departs at 12 noon or in the afternoon of the day following the day of the meeting or on a later day.

But he will be entitled to only half daily allowance for the day preceding and/or for the day following the meeting if;

- (1) he arrived at 12 noon or in the afternoon of the day preceding the day of the meeting, and/or
- (2) he departs in the forenoon of the day following the day of the meeting.

(iii) Daily allowance will be subject to the usual conditions laid down in S.R. 73 as amended from time to time.

###### (c) Conveyance Allowance—

A non-official member, resident at a place where the meeting of a Board is held will not be entitled to travelling and daily allowances on the scales indicated in sub-paras (a) and (b) above but will be allowed only the actual cost of conveyance hire subject to a maximum of Rs. 10 per day. Before the claim is actually paid the controlling officer should verify the claim and satisfy himself, after obtaining such details as may be considered necessary that the actual expenditure was not less than the amount claimed. In cases he is not satisfied with the details he may at his discretion limit the conveyance allowance to road mileage.

If such a member uses his own car, he will be granted mileage allowance at the rates admissible to officials of the First Grade subject to a maximum of Rs. 10 per day.

#### B—MEMBERS OF PARLIAMENT

(a) *Travelling Allowance.*—Members of Parliament will utilise the free First Class Railway Pass issued to them as Members of Parliament in respect of all rail journeys undertaken by them. They will not travel by Air-conditioned accommodation at Government expense. If a Member of Parliament travels by Air-conditioned coach he will pay the difference between the fares for the Air-conditioned and First Class accommodation from his own pocket.

In respect of journeys performed by a Member of Parliament by rail he will be paid incidental charges at the rates admissible under section 'A' to non-official members.

For road journey a Member Parliament appointed to this Board/Committee will be entitled to road mileage as admissible to officers of the First Grade i.e. 8 annas per mile. This amount will be paid automatically but would be subject to the actual expenditure incurred by him.

(b) *Daily Allowance.*—When the Parliament or Parliamentary Committee on which a Member is serving is in session, the member will not be entitled to draw any daily allowance in connection with his assignment on this Board/Committee as he will be drawing his daily allowance under section 3 of the Salaries and Allowances of Members of Parliament Act, 1954 from the Parliament Secretariat concerned. However, if he certifies that he was prevented from attending the Session of the House or the Parliamentary Committee because of his work connected with this Board/Committee he did not draw any daily allowance from the Parliament, he would be entitled to draw daily allowance at the rate of Rs. 20 per day.

When the Parliament or Parliamentary Committee of which he is a Member, is not in session, his daily allowance will be regulated by sub-para (b) read with sub-para (c) in section 'A' above.

(c) *Conveyance Allowance.*—In addition to daily allowance mentioned above, a Member of Parliament will be entitled to draw the actual cost of conveyance hire subject to a maximum of Rs. 10 per day during the session period or during the period when a Parliamentary Committee of which he is a member is holding its meeting at New Delhi, on production of a certificate to the effect that he has not drawn a conveyance allowance or a similar allowance nor used a Government vehicle in respect of the same journey or for the same day from any other Government source.

(i) The claims for the drawal of travelling allowance, daily allowance, conveyance allowance payable to Members of Parliament shall be prepared in the same forms and submitted in the same manner as prescribed for drawal of aforesaid allowance of non-official members

of this Board/Committee.

(ii) Appropriate certificates in the following forms shall be appended to claims for travelling allowance, conveyance allowance:—

"(a) Certified that the expenditure actually incurred by me in performing the functions as..... for which travelling allowance/conveyance allowance has been claimed in this bill was not less than the amount claimed.

(Signatures of Member of Parliament)."

(iii) Where the amount of the actual expenditure incurred by a Member Parliament is less than the maximum amount payable under the Government sanction, and he is, therefore, unable to furnish certificate as above, the amount of the allowance should be reduced to the amount of the actual expenditure which can be certified by him as above.

S. C. BHATNAGAR,  
Secretary (Excise).

#### FINANCE DEPARTMENT NOTIFICATIONS

*Simla-4, the 24th September, 1964/2nd Asvina, 1886*

No. 12-16/62-Fin. (R&E).—In partial modification of this Department's notification No. 12-16/62-Fin. (R&E), dated the 21st February, 1963 and in exercise of the powers conferred upon him under Supplementary Rule 2(10) read with item 43 of Appendix 14 of the P&T Compilation of the Fundamental and Supplementary Rules, Vol. II, the Lieutenant Governor, is pleased to declare the Chief Engineer, Multipurpose Projects and Power, Himachal Pradesh as Head of Department in respect of the expenditure under head '101—Capital Outlay on Electricity Schemes'.

*Simla-4, the 3rd October, 1964*

No. 12-62/64-Fin. (R&E).—In exercise of the powers vested in him under Rule 10-A of the Delegation of Financial Powers Rules, 1958, the Lieutenant Governor, is pleased to declare the Deputy Commissioner, Chamba district, Chamba, as Head of Office (Drawing and Disbursing Officer) as also Controlling Officer in respect of Class III and IV staff under head '71-Miscellaneous-G-Charges in connection with Village Panchayat Act' till the appointment of new District Panchayat Officer at Chamba.

By order,  
S. C. BHATNAGAR,  
Secretary.

#### HOME DEPARTMENT NOTIFICATIONS

*Simla-4, the 22nd September, 1964*

No. 17-41/61-Home.—The Lieutenant Governor, Himachal Pradesh, on the recommendations of the Departmental Promotion Committee, is pleased to promote Shri Chuni Lal, Assistant Superintendent, Sub-Jail, Solan, in the scale of Rs. 100-10-200/10-300 as Superintendent, Open Air Jail, Bilaspur (Class III Gazetted) in the scale of Rs. 270-10-340/10-420 on *ad-hoc* basis with effect from the date he takes over charge of the post, vice Shri Surrendra Dev, promoted to officiate as Superintendent, Model Central Jail, Nahan.

*Simla-4, the 22nd September, 1964*

No. 17-41/61-Home.—The Lieutenant Governor, Himachal Pradesh, on the recommendations of the Departmental Promotion Committee, is pleased to promote Shri Surrendra Dev, Officiating Superintendent, Open Air Jail, Bilaspur in the scale of Rs. 270-10-340/10-420 as Superintendent, Model Central Jail, Nahan, in the scale of Rs. 350-25-600-25-800 on *ad-hoc* basis with effect from the date he takes over charge of the post.

By order,  
THAKUR SEN NEGI,  
Chief Secretary.

appoint the following gentlemen as non-official visitors for the undermentioned Jails in Himachal Pradesh for a period of two years with effect from the date of issue of this notification:—

<i>Names of visitors</i>	<i>Names of Jails to be visited</i>
1. Shri Tapindra Singh, Deputy Speaker, Himachal Pradesh Vidhan Sabha.	Model Central Jail, Nahan.
2. Shri Bishan Singh, Advocate, Nahan.	
1. Shri Khazan Singh, M.L.A., Himachal Pradesh.	Open Air Jail, Bilaspur.
2. Shri Dina Nath, M.L.A., Himachal Pradesh.	
1. Col. A. N. Chopra	Sub-Jail, Solan.
2. Shri Hira Lal Kausar	
1. Shri Ved Vyas Mahajan, Advocate.	Sub-Jail, Chamba.
2. Shri Sagar Chand, Vice-President, Municipal Committee, Chamba.	

By order,  
RAGHUBIR SINGH,  
Joint Secretary.

#### LAND REFORMS DEPARTMENT NOTIFICATIONS

*Simla-4, the 27th August, 1964*

No. 25-206/59-LRC.—Whereas the lands, for which right, title and interest of the following landowners vested in the State Government under sub-section (1) of section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954) is situated within the limits of Mahasu and Kinnaur districts:—

1. Raja Sahib Bir Bhadur Singh s/o Raja Sahib Padam Singh of Rampur Bushahr.
2. Rajkumar Sahib Rajendra Singh s/o Raja Sahib Padam Singh of Rampur Bushahr.
3. Rani Sahiba Shanti Devi w/o Raja Sahib Padam Singh of Rampur Bushahr.

And whereas the Compensation Officers, appointed to carryout the purposes of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954) including partitions, operations in holdings, assessment of compensation and settlement of disputes between the landowners and their tenants in the Districts of Mahasu and Kinnaur, in which the land of these landowners is situated are the Compensation Officers, Mahasu district and the Sub-Divisional Officers, Pooh, Kalpa and Nichar and Tehsildar, Moorang, within their respective jurisdiction in Mahasu and Kinnaur districts.

And further whereas these landowners ordinarily reside at Rampur, Tehsil Rampur, District Mahasu.

Now, therefore, the Administrator (Lieutenant Governor), Himachal Pradesh in exercise of the powers conferred by section 9 of Act No. 15 of 1954, is pleased to cancel the appointment of the Sub-Divisional Officers, Pooh, Kalpa and Nichar and the Tehsildar, Moorang, as Compensation Officers, notified *vide* notification No. R.25-33/59, dated the 11th October, 1960 and R.25-33/59, dated the 8th November, 1962, in so far as the cases under section 27(3) of the aforesaid Act of the above-named landowners are concerned. As a consequence the Administrator (Lieutenant Governor), Himachal Pradesh, is further pleased to order that the Compensation Officer, Mahasu district (Headquarters) appointed as Compensation Officer, in terms of section 9 of the aforesaid Act, by notification No. Apptt. 1-692/57-II, dated the 28th June, 1963 shall also exercise the powers of Compensation Officer for purposes of section 27(3) of the aforesaid Act including partitions, operations in holdings, assessment of

*Simla-4, the 26th September, 1964/4th Asvina, 1886*

No. 18-3/63-Home.—In pursuance of paragraph 50 of the Punjab Jail Manual as followed in Himachal Pradesh, the Lieutenant Governor, Himachal Pradesh is pleased to

compensation and settlement of disputes between the landowners and their tenants, in respect of the above-named landowners, regarding their lands situated in Kinnaur district, till further orders.

By order,  
C. L. KAPILA,  
Additional Secretary (Revenue).

*Simla-4, the 27th August, 1964*

No. 25-206/59-LRC.—Whereas the lands for which right, title and interest of the following landowners vested in the State Government under sub-section (1) of section 27 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953, (Act No. 15 of 1954) is situated within the limits of Kinnaur and Mahasu districts:—

1. Shri Balbadur Singh s/o Shri Dharam Singh, resident of village Puari, Tehsil Kalpa, District Kinnaur.
2. Shri Amar Singh s/o Shri Dharam Singh, resident of village Puari, Thesil Kalpa, district Kinnaur.

And whereas the Compensation Officers, appointed to carryout the purposes of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953, (Act No. 15 of 1954) including partitions, operations in holdings, assessment of compensation and settlement of disputes between the landowners and their tenants in the Districts of Kinnaur and Mahasu, in which the land of these landowners is situated are the Sub-Divisional Officer, Kalpa, Sub-Division, Kinnaur district and Tehsildar, Rampur, Magistrate 1st Class, Rohru and Compensation Officer Mahasu, within their respective jurisdiction in Kinnaur and Mahasu districts.

And further whereas these landowners ordinarily reside at village Puari, Tehsil Kalpa, District Kinnaur.

Now, therefore, the Administrator (Lieutenant Governor), Himachal Pradesh, in exercise of the powers conferred by section 9 of Act No. 15 of 1954, is pleased to

cancel the appointment as Compensation Officers of Tehsildar, Rampur, Magistrate 1st Class, Rohru (A.C.I. Grade) and Compensation Officer, Mahasu district (Headquarters) notified *vide* notification No. R. 25-33/57-II, dated the 17th December, 1963 and Apptl. I-692/57-II, dated the 28th June, 1963 in so far as the cases under section 27(3) of the aforesaid Act of the above-named landowners are concerned. As a consequence, the Administrator (Lieutenant Governor), Himachal Pradesh, is further pleased to order that the Sub-Divisional Officer, Kalpa, Sub-Division, Kinnaur district, appointed as Compensation Officer, in terms of section 9 of the aforesaid Act, by notification No. R. 25-33/59, dated the 11th October, 1960, shall also exercise the powers of compensation officer, for the purposes of section 27(3) of the aforesaid Act, including partitions, operations in holdings, assessment of compensation and settlement of disputes between the landowners and their tenants in respect of the above named landowners regarding their lands situated in Mahasu district, till furher orders.

C. L. KAPILA,  
Additional Secretary (Revenue).

#### VIDHAN SABHA SECRETARIAT

#### NOTIFICATION

*Simla-4, the 23rd September, 1964*

No. 3-95/63-VS.—In exercise of all the powers enabling him in this behalf the Hon'ble Speaker, Himachal Pradesh, Legislative Assembly has been pleased to declare the Headquarters of the Deputy Speaker, Himachal Pradesh, Legislative Assembly to be his usual place of residence *viz.*, Nahan, with retrospective effect from the 17th October, 1963.

By order,  
D. B. LAL,  
*Secretary.*

**भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और ज़िला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि**

#### PUBLIC WORKS DEPARTMENT

#### NOTIFICATIONS

*Simla-3, the 31st August, 1964*

No. SE-II-PF-240/64-18789-93.—Shri R. C. Sanwal, on deputation from C.P.W.D., posted in Chopal Sub-division *vide* Secretary to the Government of Himachal Pradesh, P.W.D., order No. PWE-139-3/64-XVI-6031-39D, dated 23-6-1964, took over the charge of the office of the Assistant Engineer, Chopal Sub-division, Chopal on the afternoon of 4th July, 1964 from Shri S. P. Vaish, Assistant Engineer transferred.

*Simla-3, the 31st August, 1964*

No. SE-II-PF/64-18799-803.—Shri J. B. Maity, Assistant Engineer, posted in Churag, Sub-division, *vide* Secretary to the Government of Himachal Pradesh, P.W.D.'s order No. PWE-139-3/64-XVI-4837-42 D, dated 19-6-1964, took over the charge of the office of the Assistant Engineer Churag, Sub-division on the afternoon of 24th June, 1964 from Shri V. N. Soni, Acting, Sub-Divisional Officer, transferred.

*Simla-3, the 31st August, 1964*

No. SE-II-PF-240/64-18283-88.—Shri L. N. Malhotra on deputation from C.P.W.D., posted in Sangla Sub-division *vide* Secretary P.W.D., to the Government of Himachal Pradesh's office order No. PWE-139-3/64-VVI-2372-79D, dated 5-6-1964, took over the charge of the office of the Assistant Engineer, Sangla Sub-Division, Sangla on 12-6-1964 afternoon from Shri A. L. Gupta, Assistant Engineer, transferred.

*Simla-3, the 31st August, 1964*

No. SE-II-PF/64-18794-98.—Shri R. S. Govil, on deputation from C.P.W.D., New Delhi posted in Jutogh, Sub-Division *vide* Secretary to Government of Himachal Pradesh, P.W.D., office order No. PWE-139-3/64-XVI-93-100E, dated 6-7-1964, took over the charge of the office of the Assistant Engineer, Jutogh, Sub-Division on the forenoon of 9th July, 1964 from Shri S. D. Satsangi, proceeded on 2 months leave.

HARBHAJAN SINGH,  
*Superintending Engineer, 2nd Circle.*

**भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, जुडिशल कमिशनरज बोर्ड, फाइनेन्शल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि**

#### ELECTION DEPARTMENT

#### CORRIGENDA

*Simla-4, the 16th October, 1964*

No. 5-4/63-Elec.—In the Election department notification No. 5-4/63-Elec., dated the 19th June, 1964, regarding the delimitation of wards rules in respect of the Municipal Committee, Rampur as published in the H.P. Rajpatra, dated the 27th June, 1964 the following corrections shall be made:

- (1) In column 2 against Ward No. 2 read the word

"then" after house No. 111.

- (2) In column 2 against Ward No. 4 read the words and figures "house No. 113 of Shri Jharoo to" after the words 'turning to left side' occurring in line 17.

*Simla-4, the 16th October, 1964*

No. 5-4/63-Elec.—In the Election department notification No. 5-4/63-Elec., dated the 15th September, 1964 regarding delimitation of wards rules in respect of the



Rule, I, Trilok Singh, District Panchayat Officer, Bilaspur District (H.P.), hereby published the result for the information of public and all concerned.

*Bilaspur, the 9th September, 1964*

No. 5242.—Whereas there occurred a vacancy of Panchayat member in Gram Panchayat Luharwin, Tehsil Ghumarwin of Bilaspur District by reason of death of Shri Pohalo Ram in Sillh constituency of Gram Sabha circle Luharwin.

And whereas the said Panchayat in exercise of the powers vested in it by virtue of section 12(3) of Himachal Pradesh Panchayat Raj Rules, has co-opted one Shri Sant Ram s/o Shri Jiwanu, caste Brahmin, r/o of Sillh, Gram Sabha Circle Luharwin in place of Shri Pohalo Ram.

Now, in pursuance of Rule 51-A, of Panchayat Raj Rule, I, Trilok Singh, District Panchayat Officer, Bilaspur district (H.P.), hereby published the result for the information of public and all concerned.

*Bilaspur, the 26th September, 1964*

No. 5618.—Whereas there occurred a vacancy of Panchayat member in Gram Panchayat Berthin, Tehsil Ghumarwin of Bilaspur district, by reason of resignation of Shrimati Durgi Devi.

And whereas the said Panchayat in exercise of the

powers vested in it by virtue of section 12(3) of Himachal Panchayat Raj Rules, has co-opted one Shrimati Sukhan Devi wife of Shri Kirpa Ram, caste Harijan in place of Shrimati Durgi Devi.

Now, in pursuance of Rule 51-A of Panchayat Raj Rule, I, Trilok Singh, District Panchayat Officer, Bilaspur district (H.P.), hereby published the result for the information of public and all concerned.

*Bilaspur the 26th September, 1964*

No. 5614.—Whereas there occurred a vacancy of Panchayat member in Gram Panchayat Berthin, Tehsil Ghumarwin of Bilaspur district by reason of removal of Shri Dandu Ram.

And whereas the said Panchayat in exercise of the powers vested in it by virtue of section 12(3) of Himachal Pradesh Panchayat Raj Rules has co-opted one Shri Sohan Singh s/o Shri Bajira Singh, Village Sargal of Bilaspur district in place of Shri Dandu Ram.

Now, in pursuance of Rule 51-A of Panchayat Raj Rule, I, Trilok Singh, District Panchayat Officer, Bilaspur district (H.P.), hereby published the result for the information of public and all concerned.

TRILOK SINGH,  
District Panchayat Officer.

### भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

इश्तहार

जेर आडर ५ रुल २० जात्या दिवानी

वश्रालत श्री नेत्र विह गार्डन, एम०ए०, एन०ए० वी०, सीनियर  
सब-जज, मंडी ज़िला

मिसल नम्बर २५ एव०एम० एकट मरजुआ १६-३-६४

मु० महत्ती देवी पत्नी कन्हैया राम, सकना लाम्बर, इलाका कमलाह,  
तहसील सरकाराट (प्रत्यार्थी)

वनाम

(१) मु० राम देवी c/o कन्हैया राम चपड़ासी, Medical Hospital (H.P.) Simla (२) सरदारु पुत्र तुनसीया, ज़िला  
राजपूत, सकना लाम्बर, इलाका कमलाह, तहसील सरकाराट (प्रत्यार्थी)

वनाम

राम देवी व सरदारु

(प्रत्यार्थी) (मोहर)

दरखास्त u/s 10 of H.M. Act 1955

मुकदमा उनवान में अदालत हजा को यह यकीन हो चुका है कि  
प्रत्यार्थी राम देवी व सरदारु पर मामुली तरीका से तामील समन होना  
मुश्किल है। अतः प्रत्यार्थी मजकूरान को बजरीया ईश्तहार जेर आडर  
५ रुल १० जात्या दिवानी के तैहर मुचित किया जाता है कि प्रत्यार्थी-  
गण तारीब पेशी २१-१०-६४ को असालातन या बकालतन बराबे पैरवी  
मुकदमा हाजिर अदालत आवे। अगर न्यायालय में हाजिर नहीं हुये  
तो उनके विरुद्ध कार्रवाही निवादित की जायेगी।

आज तिथि ६ माह १० सन १९६४ हस्ताक्षरित व अदालत की मोहर  
से प्रकाशित हुआ।

नेत्र सिंह,

सीनियर सब-जज।

### भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

शून्य

### भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य

## Late Received

### PART III

Order, may be called the Himachal Pradesh Foodgrains Dealers Licensing Order, 1964.

(2) It extends to the whole of the Union Territory of Himachal Pradesh.

(3) It shall come into force immediately.

2. Definitions.—In this Order, unless the context otherwise requires:—

(a) “dealer” means a person engaged in the business of purchase, sale or storage for sale of any one of the foodgrains in quantity of ten quintals or more at any one time, or in quantity of twenty-five quintals or more of all foodgrains taken together, but does not include a person who—

(i) stores any foodgrains produced by him by

### CIVIL SUPPLIES DEPARTMENT

#### NOTIFICATION

Simla-4, the 19th October, 1964/27th Asvina, 1886

No. 1-1/64-CS.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Food) published under G.S.R. 888, dated the 28th June, 1961, in the Gazette of India Part II, Section 3, sub-section (i) dated 8th July, 1961 and with the prior concurrence of the Central Government, the Administrator (Lieutenant Governor) of Himachal Pradesh, is pleased to make the following Order, namely:—

1. Short title extent and commencement.—(i) This

personal cultivation; and

- (ii) does not engage in the business of purchase or sale of foodgrains;

(b) "foodgrains" means any one or more of the foodgrains specified in Schedule I to this Order including products of such foodgrains other than husk and bran;

(c) "Form" means a form set forth in Schedule II to this Order;

(d) "Exercising authority" means an officer appointed by the State Government to exercise the powers and perform the duties of the licensing authority under this Order; and

(e) "State Government" means the Lieutenant Governor of Himachal Pradesh.

**3. Licensing of Dealers.**—(1) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

(2) For the purpose of this clause, any person who stores any foodgrains in quantity of ten quintals or more of any one of the foodgrains or 25 quintals of all foodgrains taken together at any one time shall, unless the contrary is proved, be deemed to store the foodgrains for the purpose of sale.

**4. Issue of Licence.**—(1) Every application for a licence or renewal thereof shall be made to the licensing authority in Form 'A'.

(2) Every licence issued or renewed under this Order shall be in Form 'B'.

**5. Period of licence and fees chargeable.**—(1) Every licence granted under this Order shall be valid for a period ending the 31st of December of the year in which it is issued and may be renewed for a period of one year at a time.

(2) The fees specified below shall be chargeable in respect of each licence, namely:—

For issue of a licence	..	Rs. 5
For renewal of a licence	..	Rs. 2
For issue of a duplicate licence	..	Rs. 10

(3) A separate licence shall be obtained by a dealer for each place of business.

**6. Deposit of Security.**—Every dealer who at the commencement of this order holds a valid licence granted under the Himachal Pradesh Foodgrain Dealers' Licensing Order, 1963, shall within 2 months of such commencement and every person applying for licence after such commencement, shall before his licence is issued to him, deposit with the Licensing Authority a security of the value of Rs. 500 if his annual sale of foodgrains specified in schedule I to this order including products of such foodgrains is 2,400 quintals or more and, Rs. 300 if his annual sale is less than 2,400 quintals but more than 1,200 quintals and Rs. 200 if his annual sale of foodgrains is less than 1,200 quintals but more than 300 quintals and Rs. 100 if his annual sale is less than 300 quintals.

**7. Power to refuse licence.**—The licensing authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing refuse to grant or renewal licence.

**8. Contravention of conditions of licence.**—No holder of a licence issued under this Order or his agent or servant or any other person acting on his behalf shall contravene any of the terms or conditions of the licence and if any such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms or conditions, then, without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the licensing authority:

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

**9. Forfeiture of security deposit.**—(1) Without prejudice to the provisions of clause 8, if the licensing

authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit, the whole or any part of the security deposited by him and communicate a copy of the order to the licensee.

(2) The Licensee shall, if the amount of security at any time falls short of the amount specified in clause 6 forthwith deposit further security to make up that amount on being required by the licensing authority to do so.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

**10. Appeal.**—(1) Any person aggrieved by any order of the licensing authority refusing to grant or renew a licence or cancelling or suspending a licence or forfeiting the security deposited by the licensee under the provisions of this Order may appeal to the State Government within 30 days of the date of the receipt by him of such order.

(2) No order shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of an appeal, the State Government may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed of.

**11. Powers of entry search, seizure etc.**—(1) The licensing authority or any other officer authorized by the State Government in this behalf, may with such assistance, if any, as he thinks fit—

- (a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder has been, is being, or is about to be committed, to produce any book, accounts or other documents showing transactions relating to such contraventions;
- (b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder, has been, is being, or is about to be committed;
- (c) take or cause to be taken, extracts from or copies of, any documents showing transactions relating to such contraventions which are produced before him;
- (d) search, seize and remove stocks of foodgrains and the animals, vehicles, vessels or other conveyances used in carrying the said foodgrains in contravention of the provisions of this order, or of the conditions of the licences issued thereunder and thereafter take or authorise the taking of all measures as necessary for securing the production of stocks of foodgrains and the animals, vehicles, vessels or other conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal procedure 1898 (V of 1898), relating to search and seizure shall so far as may be, apply to search and seizures under this clause.

**12. Repeal and Saving.**—(1) The Himachal Pradesh Foodgrains Dealers Licensing Order, 1963 published with notification No. CS. 4-30/58-1, dated 25th February, 1963, shall stand repealed except as respects things done or omitted to be done under the Order so repealed.

#### SCHEDULED I

[See Clause 2 (b)]

1. Wheat
2. Paddy (rice in husk)
3. Rice (husked)
4. Jowar.
5. Bajra.

6. Maize.
7. Barley.
8. Minor Millets (e.g. Ragi, Kodo).
9. Gram.
10. Milo.
11. Sorghum.

**SCHEDULE II**  
**FORM 'A'**

(See clause 4 (I))

**THE HIMACHAL PRADESH FOODGRAINS  
DEALERS LICENSING ORDER, 1964**

**APPLICATION FOR GRANT, RENEWAL OF LICENCE**

1. Applicant's name.
2. Applicant's profession.
3. Applicant's residence.
4. Situation of applicant's place of business with particulars as to number of house, mohalla, town, or village police station and district.
5. How long has the applicant been trading in foodgrains?
6. Did the applicant hold a foodgrains licence on any previous occasion? (If so give particulars including its suspension or cancellation, if any).
7. Quantities of each foodgrain handled annually during the last three years.
8. Quantity of foodgrains likely to be handled during the current year.
9. Income-tax paid in the two years preceding the year of application (to be indicated separately):

1. ....  
2. ....

10. (a) Quantity of foodgrains in the possession of the applicant on the date of application and quantity of foodgrains in quantals sold during the last calendar year (Separate figures are to be given for each foodgrains).

(b) Complete address of places where foodgrains are proposed to be stored—

I declare that the quantities of foodgrains specified above are in my possession this day and are held at the places noted above—

I have carefully read the conditions of licences given in Form 'B' appended to the Himachal Pradesh Foodgrains Dealers Licensing Order, 1964, and I agree to abide by them.

\*(a) I have not previously applied for such licence in this district for foodgrains.

\*(b) I applied for such licence in this district for..... on.....and was/was not granted a licence on.....

\*(c) I hereby apply for renewal of licence No..... Dated..... issued to me on.....

\*Strike off the clauses not applicable.

Place.....

Date..... *Signature of the Applicant.*

**FORM 'B'**

[See clause 4 (2)]

**THE HIMACHAL PRADESH FOODGRAINS  
DEALERS LICENSING ORDER, 1964**

**LICENCE FOR PURCHASE, SALE/STORAGE FOR SALE OF  
FOODGRAINS**

Licence No.....

1. Subject to the provision of the Himachal Pradesh Foodgrains Dealers Licensing Order, 1964, and to the terms and conditions of this Licence.....is/are hereby authorized to purchase, sell, or store for sale, the undermentioned foodgrains.

.....  
2. (a) The licensee shall carry on the aforesaid business at the following place:—

.....  
(b) Foodgrains in which the aforesaid business is to be carried on shall not be stored at any place other than any of the godowns mentioned below:—

**Note:**—If the licensee stores his foodgrains in places other than those specified above, he shall give intimation of storing of foodgrains in such godowns to the licensing officer within 48 hours of actual occupation of the godowns.

3. (i) The licensee shall, except when specially exempted by the State Government or by the licensing authority, in this behalf, maintain a register of daily accounts for each of the foodgrains mentioned in paragraph 1, showing correctly:—

- (a) the opening stock on each day;
- (b) the quantities received on each day showing the place from where and the source from which received;
- (c) the quantities delivered or otherwise removed on each day showing the places of destination; and
- (d) the closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause the burden of proving which, shall be upon him.

(iii) A licensee who is a producer himself shall separately show the stocks of his own produce in the daily account, if such stocks are stored in his business premises.

4. The Licensee shall, except when specially exempted by the State Government or by an officer authorized by the State Government in this behalf, submit to the licensing authority concerned a true return, in form C of the stocks receipts and deliveries of each of the foodgrains every fortnight (1st to 15th and 16th to end of the month), as to reach him within 5 days after the close of the fortnight.

5. The licensee shall not contravene the provisions of the Himachal Pradesh Foodgrains Dealer Licensing Order, 1964, or any other order relating to foodstuffs issued under the Essential Commodities Act, 1955 (10 of 1955).

6. The licensee shall not contravene the provisions of any law relating to foodstuffs for the time being in force.

7. The licensee shall not:—

(i) enter into any transaction involving purchase sale or storage for sale of foodgrains in a speculative manner prejudicial to the maintenance and easy availability of supplies of foodgrains in the market,

(ii) withhold from sale supplies of foodgrains ordinarily kept for sales; or

(iii) charge, in respect of sales of foodgrains made by him, a margin of profit in excess of the rate prevailing in the market at the time of sale or at a rate in excess of any maximum rate of margin fixed for wholesale transactions in foodgrains by a representative body of foodgrain dealers for the locality concerned, whichever is less.

8. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of foodgrains held by him for sale. Such price list shall be legibly written in the principal language of the locality concerned. It shall indicate separately the prices of different varieties of foodgrains.

The licensee shall, except when specially exempted by the State Government or by the licensing authority in this behalf, issue to every customer a correct receipt or invoice, as the case may be, giving his own name, address and licence number, the name, address and licence number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorised by it in this behalf.

10. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by it or the State Government for the inspection of his

stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of foodgrains and for the taking of samples of foodgrains for examination.

11. The licensee shall comply with any direction that may be given to him by the State Government in regard to purchase, sale and storage for sale, of foodgrains and in regard to the language in which the register, returns, receipts or invoices mentioned in paragraphs 3, 4, 8, 9 or 10 shall be written and the authentication and maintenance of the register mentioned in paragraphs 3 and 9.

12. The licensee shall not sell or offer to sell in any locality any foodgrain at a price higher than that fixed, for sale of that foodgrain in such locality, by the Central Government or the State Government in pursuance of any power conferred by law.

13. This licence shall be attached to any application for renewal.

14. This licence shall be valid upto.....

Place.....

Date.....

*Licensing Authority.*

#### FORM 'C'

For use by a dealer

(See condition 4 of Form B)

RETURN OF STOCKS, RECEIPTS AND SALES OF FOODGRAINS FOR THE FORTNIGHT ENDING.....196 .....

Name .....

No. of licence.....

Address .....

Particulars of godown where stock held.....

Variety of the foodgrains.

Particulars	Quantity in quintals	Remarks, (if any)
-------------	----------------------	----------------------

1. Stock at the beginning of the fortnight:

- (a) actually with the stockist.
- (b) pledged with any person or institution such as a Bank or Co-operative Society.

Total ..

2. (a) Quantity purchased during the fortnight and the source of supply.

(b) Average price paid.

Total quantity purchased.

*Note:*—Against the sources of supply above, the licensee should only indicate the market or markets and the quantity purchased from each such market but need not give details of the names of each dealer and the quantity purchased from each unless in any single case he has purchased the quantity of 200 quintals or more.

3. Quantity sold:

- (a) quantity sold and delivered/removed during the fortnight.
- (b) quantity sold but not yet delivered.
- (c) Average price realized/charged.

Total Sold.

4. Stocks at the end of the fortnight:

- (a) actually with the stockist:
  - (i) unsold.
  - (ii) sold but awaiting delivery.
- (b) pledged with any person or institution such as a bank or Co-operative Society.

Total

5. Details of average margin in respect of stocks of each of the foodgrains sold during the quarter ending....

(i) Rice:

- (a) handling.
- (b) transport.
- (c) .....
- (d) .....
- (e) net profit.

(ii) Wheat:

- (a) handling.
- (b) transport.
- (c) .....
- (d) .....
- (e) net profit.

*Note.*—Information in respect of items 2 (b), 3(c) and 5 shall be furnished by the licensee for each of the quarters ending 31st March, 30th June, 30th September, and 31st December of every year. This information shall be included in the fortnightly return for the second fortnight of the month following the end of the quarter.

To

1. Licensing Authority..... District.

Place..... Signature

Date..... Licence No.....

#### FORM 'D'

(See condition 9 of Form B)

#### REGISTER OF RETAILERS

1. Name of the licensee.....

2. Address .....

3. Licence number.....

Serial number of registration Name and address of the retailer

1

2

By order,  
S. M. GOYAL,  
Joint Secretary.

